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January 29, 1997

Hand Delivered

Federal Communications Commission  
Mass Media Services  
P.O. Box 358190  
Pittsburgh, PA. 15251-5190

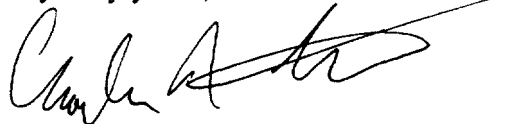
Ladies/Gentlemen:

Transmitted herewith, on behalf of Gerard A. Turro, the licensee of FM translator W232AL, Pomona, New York, are an original and one copy of his application for renewal of license for that station (FCC Form 303-S).

In addition, clipped to the face of that application is a check for \$45.00 issued to the Federal Communications Commission to provide the required filing fee. A fee remittance advice form has not been provided because fee processing information is included within this application form.

In the event there are any questions concerning this matter, please communicate with this office.

Very truly yours,



Charles R. Naftalin

Enclosures

FOR  
FCC  
USE  
ONLY

FCC MELLON

2396  
PN 2-11-97  
ORIGINAL  
JAN 29 1997

**FCC 303-S**  
**APPLICATION FOR RENEWAL OF LICENSE**  
**FOR AM, FM, TV,**  
**TRANSLATOR OR**  
**LPTV STATION**

FOR COMMISSION USE ONLY

FILE NO.

MM 97-122  
9701294D

AM, FM and TV APPLICANTS MUST COMPLETE AND SUBMIT SECTIONS I, II, III AND V ONLY.

FM TRANSLATOR, TV TRANSLATOR and LPTV APPLICANTS MUST COMPLETE AND SUBMIT SECTIONS I, II, IV AND V ONLY.

IF APPLICATION IS FOR RENEWAL OF LICENSES FOR BOTH A PRIMARY STATION and A CO-OWNED TRANSLATOR WHICH REBROADCASTS THE PRIMARY STATION'S SIGNAL, APPLICANT MUST COMPLETE AND SUBMIT SECTIONS I, II, III, IV AND V.

**SECTION I (FEE INFORMATION) - TO BE COMPLETED BY ALL APPLICANTS**

**1. PAYOR NAME (Last, First, Middle Initial)**

Gerard A. Turro

**MAILING ADDRESS (Line 1) (Maximum 35 characters)**

c/o Koteen & Naftalin, L.L.P.

**MAILING ADDRESS (Line 2) (Maximum 35 characters)**

1150 Connecticut Avenue, N.W., Suite 1000

**CITY**

Washington

**STATE OR COUNTRY (if foreign address)**

DC

**ZIP CODE**

20036

**TELEPHONE NUMBER (include area code)**

(202) 467-5700

**CALL LETTERS**

W232AL

**OTHER FCC IDENTIFIER (IF APPLICABLE)**

**2. A. Is a fee submitted with this application?**

☒ Yes ☐ No

**B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112):**

☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (Please explain):

**C. If Yes, provide the following information:**

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

| (A)           | (B)                           | (C)  |                  |
|---------------|-------------------------------|--|------------------|
| FEE TYPE CODE | FEE MULTIPLE<br>(if required) | FEE DUE FOR FEE TYPE<br>CODE IN COLUMN (A) | FOR FCC USE ONLY |
| (1) M A F     |                               | \$ 45.00                                   |                  |

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

| (A) | (B) | (C) |                  |
|-----|-----|-----|------------------|
|     |     |     | FOR FCC USE ONLY |
| (2) |     | \$  |                  |

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) AND (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

**TOTAL AMOUNT  
REMITTED WITH THIS  
APPLICATION**

\$ 45.00

**FOR FCC USE ONLY**

45.00

## SECTION II - TO BE COMPLETED BY ALL APPLICANTS

|   |  |
|---|--|
| 1. NAME OF LICENSEE OF AM, FM OR TV STATION | NAME OF LICENSEE OF FM OR TV TRANSLATOR OR LOW POWER TV STATION<br>Gerard A. Turro |
| MAILING ADDRESS<br>687 Orchard Street       |  |
| CITY<br>Oradell                             | STATE<br>NJ  |
| ZIP CODE<br>07649                           |  |

2. This application is for: ☐ Commercial ☐ Noncommercial

(a) ☐ AM ☐ FM ☐ TV

|              |                      |       |
|--------------|----------------------|-------|
| Call Letters | Community of License |       |
|              | City                 | State |

(b) ☒ FM Translator ☐ TV Translator ☐ Low Power TV

|                        |                        |             |
|------------------------|------------------------|-------------|
| Call Letters<br>W232AL | Area Licensed to Serve |             |
|                        | City<br>Pomona         | State<br>NY |

|              |                        |       |
|--------------|------------------------|-------|
| Call Letters | Area Licensed to Serve |       |
|              | City                   | State |

3. Attach as an Exhibit an identification of any FM booster or TV booster station for which renewal of license is also requested.

N/A

Exhibit No.

4. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments?

☒ Yes ☐ No

If No, attach as an Exhibit an explanation.

Exhibit No.

5. Since the filing of the applicant's last renewal application or any other application for the subject station(s), has an adverse finding been made or final action been taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law relating to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☒ No

See also Exhibit No.

If the answer is Yes, attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and the disposition of the litigation. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c), the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

Exhibit No.

6. Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding identified health and safety guidelines issued by the American National Standards Institute?

☐ Yes ☒ No\*

NOTE: Licensees of FM translator stations transmitting with an effective radiated power (ERP) of 100 watts or less are not subject to the RF radiation requirements of 47 C.F.R. Section 1.1307(b).

If Yes, attach as an Exhibit an Environmental Assessment, as required by 47 C.F.R. Section 1.1311.

If No, explain briefly why not.

Exhibit No.

☐ Explanation attached

\* W232AL transmits with an ERP of less than 100 watts.

# SECTION IV : TO BE COMPLETED BY FM TRANSLATOR, TV TRANSLATOR and LPTV APPLICANTS ONLY

1. Is the applicant's station currently operating and rebroadcasting the signal of an FM, TV or LPTV station?

☒ Yes ☐ No

If Yes, identify the station being rebroadcast:

| Call Sign | Channel No. | City of License/Area Served |
|-----------|-------------|-----------------------------|
| WJUX      | 259         | Monticello, New York        |

If No, attach as an Exhibit a statement of explanation, including the steps the applicant intends to take to resume operations.

Exhibit No.

2. Is the station being rebroadcast licensed to either the applicant or a commonly controlled entity?

☐ Yes ☒ No

If No, has the required retransmission consent been obtained?

☒ Yes ☐ No

If No, attach as an Exhibit an explanation.

Exhibit No.

3. Is the station being rebroadcast the same station as previously notified?

☒ Yes ☐ No

If No, attach as an Exhibit an explanation, including an identification of the station that was previously rebroadcast.

Exhibit No.

4. FOR LOW POWER TV APPLICANTS ONLY:

Have the Broadcast Station Annual Employment Reports (FCC Form 395-B) been filed with the Commission as required by 47 C.F.R. Section 73.3612?

N/A

If No, attach as an Exhibit an explanation.

☐ Yes ☐ No

Exhibit No.

5. FOR FM TRANSLATOR APPLICANTS ONLY:

(a) Is the applicant in compliance with 47 C.F.R. Section 74.1232(d) which prohibits the common ownership of a commercial primary station and an FM translator station whose coverage contour extends beyond the protected contour of the commercial primary station being rebroadcast? This restriction also applies to any person or entity having any interest in, or any connection with, the primary FM station.

☐ Yes ☒ No

If No, attach as an Exhibit an explanation.

Exhibit No.  
1

(b) Is the applicant in compliance with 47 C.F.R. Section 74.1232(e) which prohibits an FM translator station whose coverage contour extends beyond the protected contour of the commercial primary station being rebroadcast from receiving any support (except for specified technical assistance), before, during or after construction, directly or indirectly, from the primary station or any person or entity having any interest in, or any connection with, the primary station?

☒ Yes ☐ No

If No, attach as an Exhibit an explanation.

Exhibit No.

## SECTION V: TO BE COMPLETED BY ALL APPLICANTS

FOR AM, FM OR TV APPLICANTS ONLY: Applicant has attached Sections I, II, III, and V only.

☐ Yes ☐ No

FOR FM TRANSLATOR, TV TRANSLATOR OR LPTV APPLICANTS ONLY: Applicant has attached Sections I, II, IV and V only.

☒ Yes ☐ No

FOR CO-OWNED TRANSLATOR AND PRIMARY STATION APPLICANTS ONLY: Applicant has attached Sections I, II, III, IV and V.

☐ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

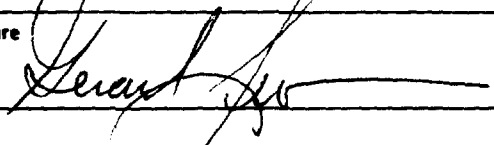
The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

### CERTIFICATION

1. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes ☐ No

2. I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

|                          |  |
|--------------------------|--|
| Name<br>Gerard A. Turro  | Signature<br> |
| Title<br>Sole Proprietor | Date<br>January 21, 1997   |

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503))**

Gerard A. Turro  
FCC Form 303-S

Exhibit No. 1

By letter dated April 5, 1996, the Mass Media Bureau rescinded its earlier interpretation of the Commission's Rules and took the position that arrangements between Mr. Turro and the licensee of WJUX(FM), Monticello, New York, are in violation of Section 74.1232 of the Commission's Rules. Currently pending before the Commission is an application for the assignment of the licenses of Mr. Turro's FM translators W232AL, Pomona, New York, and W276AQ, Fort Lee, New Jersey. Grant and consummation of that application will bring these FM translators into full compliance with the Commission's Rules.